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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

GLEN A. BLAIR,

Plaintiff,

v.

UNITED STATES OF AMERICA, INTERNAL
REVENUE SERVICE, JOHN F. DEAN,
Special Trial Judge, Tax Court, DONALD L.
KORB, Chief Counsel, IRS, WESLEY J. WONG,
Attorney, IRS, MARLENE M. OKAUMA,
Appeals Team Manager, IRS

Defendants.

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) Civil No. CV-S-08-01119-JCM (LRL)
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) **NAMED FEDERAL DEFENDANTS'**
) **MOTION TO DISMISS**
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The named federal defendants, the United States of America, Internal Revenue Service, John F. Dean, Special Trial Judge, Tax Court, Donald L. Korb, Chief Counsel, IRS, Wesley J. Wong, Attorney, IRS, and Marlene M. Okauima, Appeals Team Manager, IRS, through counsel, hereby move the Court to dismiss this action pursuant to Fed. R. Civ. P. 12(b)(1) and (b)(5) because plaintiff has failed to properly serve the federal defendants, there has been no waiver of sovereign immunity, the Court lacks jurisdiction over this matter, and defendant John F. Dean, Special Trial Judge, Tax Court is entitled to absolute judicial immunity.

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1 A memorandum in support of this motion is filed herewith.

2 Dated this 1st day of April, 2009.

3 DANIEL BOGDEN
4 United States Attorney

5 /s/ Virginia Cronan Lowe
6 VIRGINIA CRONAN LOWE
7 Trial Attorney, Tax Division
8 U.S. Department of Justice
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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing NAMED FEDERAL DEFENDANTS' MOTION TO DISMISS has been made this 1st day of April, 2009, by depositing a copy thereof in the United States Mail in a postage prepaid envelope addressed to:

Glen A. Blair
3349 Wayne St.
Las Vegas, Nevada 89121

/s/ Virginia Cronan Lowe
VIRGINIA CRONAN LOWE
Trial Attorney, Tax Division
U.S. Department of Justice